

Appl. No. 09/410,646
Arndt. Dated July 14, 2003
Reply to Office Action of April 14, 2003

REMARKS

Claims 1, 16, and 24–26 have been amended to clarify that the information packets comprise packet routing information that identifies at least one module on the interconnect. Support for the amendment can be found, among other places, in the specification at page 5, lines 11–21, and no new matter has been added.

Claims 1, and 3–26 are pending in the application. Reconsideration and withdrawal of the rejections is respectfully requested in view of the amendment and the following remarks.

A. The Obviousness-Type Double Patenting Rejection

Claim 1 remains provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claim 5 of co-pending U.S. Patent Application Serial No. 09/410,642. A suitable terminal disclaimer will be supplied upon indication of allowable subject matter.

B. The Rejection of Claims under § 102(b)

Claims 1, 3, 7-9, 11-14, 16, and 18-25 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 4,486,826 to *Wolff et al.* This rejection is traversed on the ground that *Wolff* does not have both data and packet routing information that identifies at least one module associated with data on the interconnect.

Independent claims 1, 16, 24 and 25 have been amended to clarify that the information packets comprise both data and packet routing information that identifies at least one module associated with the data on the interconnect. In contrast, *Wolff* only describes a multi-phase process that has a definition and response phase to establish a connection between a bus master and slave unit, always followed by a data transfer phase for transferring data between the units. See *Wolff*, col. 14, line 44 to col. 15, line 17. There is no routing information associated with the data transferred between the master bus and slave unit in *Wolff* because a connection

Appl. No. 09/410,
Amdt. Dated July 14, 2003
Reply to Office Action of April 14, 2003

between the units was established by in the previous cycle (i.e., the definition and response phase). This is entirely consistent with the module operation in *Wolff* that is akin to a circuit switched network rather than a packet switched network where routing information is associated with the data in each information packet.

The Office appears to take the position that the address information in *Wolff* is identical to packet routing information because the address information travels through buses that are connected to more than one device. See Office Action, page 15, lines 1–6. Having a bus that is connected to multiple devices, however, does not disqualify it from circuit switched operation or require it to operate like a packet switched system that routes packets of information. In short, there is nothing that inherently describes or even suggests the address information in *Wolff* includes packet routing information that identifies at least one module on the interconnect.

The independent claims 1, 16, 24 and 25, as amended, include at least one limitation that is neither described nor suggested by *Wolff*. Claims 3, 7–9, 11–14, and 18–23 which depend from claims 1 and 16, include all the limitations of the claims from which they depend. Accordingly, withdrawal of the rejection of claims 1, 3, 7–9, 11–14, 16, and 18–25 under 35 U.S.C. § 102(b) over *Wolff* is respectfully requested.

C. The Rejection of Claims under § 103(a)

Claims 4–6 were rejected under 35 U.S.C. § 103(a) over *Wolff* in view of U.S. Patent 6,055,596 to *Cepulis*. This rejection is respectfully traversed. Claims 4–6 depend from amended claim 1 and are believed to distinguish over *Wolff* for at least the same reasons as claim 1. *Cepulis* does not supply the deficiencies in *Wolff* as the reference does not contemplate packet interconnects.

Claim 10 was rejected under 35 U.S.C. § 103(a) over the combination of *Wolff* with U.S. Patent No. 4,918,693 to *Ardini, Jr. et al.* This rejection is respectfully traversed. Claim 10 depends from amended claim 1 and is

Appl. No. 09/410,670
Amdt. Dated July 14, 2003
Reply to Office Action of April 14, 2003

believed to distinguish over *Wolff* for at least the same reasons as claim 1. *Ardini* does not supply the deficiencies in *Wolff* as the reference does not contemplate packet interconnects.

Claim 15 was rejected under 35 U.S.C. § 103(a) over the combination of *Wolff* with U.S. Patent No. 5,652,754 to *Pizzica*. This rejection is respectfully traversed. Claim 15 depends from amended claim 1 and is believed to distinguish over *Wolff* for at least the same reasons as claim 1. *Pizzica* does not supply the deficiencies in *Wolff* as the reference does not contemplate packet interconnects.

Claim 17 was rejected under 35 U.S.C. § 103(a) over the combination of *Wolff* with U.S. Patent No. 5,678,028 to *Bershteyn et al.* This rejection is respectfully traversed. Claim 17 depends from amended claim 1 and is believed to distinguish over *Wolff* for at least the same reasons as claim 1. *Bershteyn* does not supply the deficiencies in *Wolff* as the reference does not contemplate packet interconnects.

Finally, claim 26 was rejected under 35 U.S.C. § 103(a) over the combination of *Wolff* with U.S. Patent No. 4,942,552 to *Merrill et al.* This rejection is respectfully traversed. Claim 26 includes packet information that includes both a routing field and an address field and this combination of fields is not present in *Wolff*. See claim 26, line 4. *Merrill* does not supply the deficiencies in *Wolff* as the reference does not contemplate packet interconnects either.

D. Conclusion

In view of all of the above, claims 1 and 3–26 are believed to be allowable and the case in condition for allowance, which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact the attorney at the telephone number listed below.

Appl. No. 09/410,64
Amdt. Dated July 14, 2003
Reply to Office Action of April 14, 2003

No fees are believed to be required with this Response, and should any be required, please charge Deposit Account 50-1123. Should any extension of time be required, please consider this a petition therefore and charge the required fee to Deposit Account 50-1123.

July 14, 2003


Eugene J. Bernard, Reg. 42,320
Hogan & Hartson L.L.P.
1200 17th Street, Suite 1500
Denver, Colorado 80202
Telephone: (303) 454-2457
Facsimile: (303) 899-7333